

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

SHARVELT MISTER,

Plaintiff,

v.

T.J. COLLINS, *et al.*,

Defendants.

Case No. 06-cv-978-JPG-CJP

MEMORANDUM AND ORDER

This matter comes before the Court for *sua sponte* reconsideration of plaintiff Sharvelt Mister's "Motion to Alter the Judgment" (Doc. 73), which the Court has construed as an appeal of Magistrate Judge Clifford J. Proud's March 2, 2010 order (Doc. 68) denying two of Mister's motions for appointment of counsel (Docs. 46 and 54). Shortly after the Court overruled Mister's appeal and affirmed Judge Proud's order, the Court of Appeals for the Seventh Circuit decided *Santiago v. Walls*, 2010 WL 1170654 (7th Cir. Mar. 29, 2010), clarifying the standard to be applied when deciding whether to appoint counsel for an indigent litigant. In light of *Santiago*, the Court **VACATES** its March 26, 2010, order (Doc. 74), **REVERSES** Magistrate Judge Proud's March 2, 2010, order (Doc. 68) and **REMANDS** the matter to Magistrate Judge Proud for further consideration in light of *Santiago*.

**IT IS SO ORDERED.
DATED: April 1, 2010**

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE